

Christopher M. Schierloh (CS-6644)  
CASEY & BARNETT, LLC  
317 Madison Avenue, 21<sup>st</sup> Floor  
New York, New York 10017  
(212) 286-0225  
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KRONOZ INTERNACIONAL, INC.,

Plaintiff, 07 Civ. 3079 (LAK)

- against -

**NOTICE OF MOTION**

CUSTOM SOFT S.A. de C.V.,

Defendants.

-----X

PLEASE TAKE NOTICE, that upon the accompanying affidavit of Christopher M. Schierloh, Esq. dated October 21, 2007, and copies of the Summons and Complaint filed on April 17, 2007, and the proof Service of the Summons and Complaint upon defendant Custom Soft S.A. de C.V. in accordance with Fed.R.Civ.P Rule 4(F)(2)(C)(i) on August 14, 2007, Proof of Service having been filed on October 21, 2007, and the statement of damages attached hereto, plaintiff will move this Court before the Honorable Lewis A. Kaplan at Courtroom 12D, United States Court House, 500 Pearl Street at 9 3<sup>rd</sup> fl on November 26, 2007, or as soon thereafter as counsel can be heard, for an Order granting judgment by default against defendant, Custom Soft S.A. de C.V., and directing the release of \$101,971 to plaintiff; said monies currently under restraint pursuant to a Rule B Order of Maritime Attachment obtained by plaintiff on April 17, 2007, and granting such other and further relief as may seem just and proper to the Court.

PLEASE TAKE FURTHER NOTICE that answering affidavits, if any, must be served within seven (7) days prior to the return date of this motion.

Dated: New York, New York  
November 1, 2007



Christopher M. Schierloh  
CASEY & BARNETT, LLC  
317 Madison Avenue, 21<sup>st</sup> Floor  
New York, New York 10017  
Tel: 212-286-0225  
Fax: 212-286-0261

To:  
Custom Soft S.A. de C.V.  
Reforma 1700 Col Ladron de Guevara  
Guadalajara, CP 44650, Mexico

**CERTIFICATION**

**Christopher M. Schierloh**, an attorney admitted to practice in the courts of the State of New York and before this Honorable Court, certifies that:

On November 1, 2007, I served the within **Notice of Motion and Affidavit for Judgment by Default and Exhibits**, on the party listed below, by depositing a true copy thereof with Federal Express, securely enclosed in a post-prepaid wrapper, addressed to the party below:

**Custom Soft S.A. de C.V.  
Reforma 1700 Col Ladron de Guevara  
Guadalajara, CP 44650, Mexico**



Christopher M. Schierloh